

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KIMBERLY BERNICE BROWN,

Plaintiff,

-against-

NATIONAL BASKETBALL  
ASSOCIATION; TAMERA YOUNG, WBNA  
Athlete,

Defendants.

1:19-cv-6434-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

On December 26, 2019, the Court dismissed all of Plaintiff's claims and denied as moot all outstanding motions and requests for relief. Dkt. No. 14. That same day, Plaintiff wrote the Court, requesting a jury trial and alleging additional facts that occurred after she filed her Second Amended Complaint. *See* Dkt. No. 15. Although the Court has already dismissed this action, Plaintiff's letter was filed after the Court's order was docketed, so the Court separately addresses the issues raised by Plaintiff's letter.

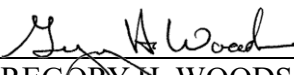
The Court is obliged to construe *pro se* pleadings liberally, *Harris v. Mills*, 572 F.3d 66, 72 (2d Cir. 2009), and interpret them to raise the "strongest [claims] that they *suggest*," *Triestman v. Fed. Bureau of Prisons*, 470 F.3d 471, 474 (2d Cir. 2006) (internal quotation marks and citations omitted, emphasis in original). Still, for the reasons stated in the Court's December 26, 2019 opinion, this motion is denied as moot. Because Plaintiff's claims have been dismissed, she is not entitled to a jury trial. Further, the additional facts Plaintiff alleges—namely, that she has "received multiple threatening calls on a daily basis from various unknown numbers"—do not, even if true, state a plausible claim for relief against the NBA, nor do they cure Plaintiff's failure to bring her claims against Young in the appropriate venue.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: December 30, 2019  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge